



**BEFORE THE STATE COMMISSION
ON JUDICIAL CONDUCT**

CJC No. 17-0469-JP

**AMENDED PUBLIC WARNING AND
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE CHRISTOPHER LEE
JUSTICE OF THE PEACE, PRECINCT 3
RIVIERA, KLEBERG COUNTY, TEXAS**

During its meeting on April 4-5, 2018, the State Commission on Judicial Conduct concluded a review of the allegations against the Honorable Christopher Lee, Justice of the Peace, Precinct 3, in Riviera, Kleberg County, Texas. Judge Lee was advised by letter of the Commission's concerns and provided a written response. Judge Lee appeared before the Commission on April 5, 2018, and gave testimony. After considering the evidence before it, the Commission entered the following Findings and Conclusion:

FINDINGS OF FACT

1. At all times relevant hereto, the Honorable Christopher Lee was the Justice of the Peace, Precinct 3, in Kleberg County, Texas.
2. Judge Lee presided over a small claims jury trial on November 30, 2016. The plaintiff, Darla Gandy, filed suit against Jesus Espinosa for fees incurred when he left a residential lease agreement before the term expired. Mr. Espinosa, who is Hispanic, says Ms. Gandy breached the lease agreement by aggressive and intimidating conduct directed at him, including flying a Confederate flag on the property.
3. Judge Lee acknowledged to the Commission that he made the statement "this is a redneck court." During his testimony before the Commission, he stated he used to open court each day with the comment.

4. Judge Lee stated he believes the term “redneck” means “a small town country boy who works hard from sun up till [sic] sun down in order to get the job done.” In describing what he meant the term to mean in his courtroom, the judge stated “this court will work hard being informal to hear anything & everything pertaining to this case & stay as long as it takes to get to the truth.”
5. Judge Lee provided a copy of a Merriam-Webster’s definition of “redneck” to the Commission before his appearance, as follows: “a white person who lives in a small town or in the country especially in the southern U.S., who typically has a working-class job, and who is seen by others as being uneducated and having opinions and attitudes that are offensive.” During his testimony before the Commission, Judge Lee stated he agreed with this definition of the word.
6. Mr. Espinosa said he felt offended by Judge Lee’s comments, and believes the judge’s conduct showed prejudice against him.
7. Judge Lee expressed different perspectives on the foreseeable effects of his routine use of the term “redneck court.” On one hand, he agreed that using the phrase “this is a redneck court” could inject bias or prejudice into a legal proceeding. However, he also disagreed with the notion that a person in Mr. Espinoza’s position could have perceived his use of the term “redneck” as reflecting potential bias or prejudice.

RELEVANT STANDARDS

1. Canon 3B(4) of the Texas Code of Judicial Conduct states, in relevant part: “A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity.”
2. Canon 3B(6) of the Texas Code of Judicial Conduct states, in relevant part: “A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, including but not limited to bias or prejudice based upon race....”
3. Article V, §1-a(6)A of the Texas Constitution provides that a judge may be disciplined for “willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit upon the judiciary or administration of justice.”

CONCLUSION

After considering the facts and evidence before it, the Commission concludes that Judge Lee failed to be patient, dignified and courteous to Jesus Espinosa, and used language that manifest bias and prejudice against Jesus Espinosa through his “redneck court” statement.

Based on this conduct, the Commission concludes Judge Lee’s statements constituted willful violations of Canons 3B(4) and 3B(6) of the Texas Code of Judicial Conduct, and Article V, Section 1-a(6) of the Texas Constitution.

In condemnation of the conduct violative of Canons 3B(4) and 3B(6) of the Texas Code of Judicial Conduct recited above, it is the Commission's decision to issue a **PUBLIC WARNING WITH ORDER OF ADDITIONAL EDUCATION** to Christopher Lee, Justice of the Peace, Precinct 3, Riviera, Kleberg County, Texas.

Pursuant to the authority contained in Article V, §1-a(8) of the Texas Constitution, it is ordered that the actions described above be made the subject of a **PUBLIC WARNING WITH ORDER OF ADDITIONAL EDUCATION** by the Commission.

Pursuant to this Order, Judge Lee must obtain **four hours** of instruction with a mentor, in addition to his required judicial education for Fiscal Year 2018. In particular, the Commission desires that Judge Lee receive this additional education in the areas of racial sensitivity and avoiding creating an appearance of bias while conducting judicial duties.

Pursuant to the authority contained in § 33.036 of the Texas Government Code, the Commission authorizes the disclosure of certain information relating to this matter to the Texas Justice Court Training Center to the extent necessary to enable that entity to assign the appropriate mentor for Judge Lee.

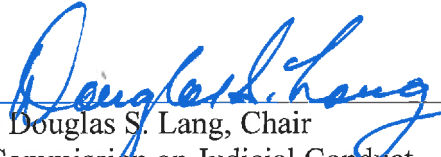
Judge Lee shall complete the additional **four hours** of instruction recited above within **60 days** from the date of written notification from the Commission of the assignment of a mentor. Upon receiving such notice, it is Judge Lee's responsibility to contact the assigned mentor and schedule the additional education.

Upon the completion of the **four hours** of instruction described herein, Judge Lee shall sign and return the Respondent Judge Survey indicating compliance with this Order. Failure to complete, or report the completion of, the required additional education in a timely manner may result in further Commission action.

Pursuant to the authority contained in Article V, §1-a (8) of the Texas Constitution, it is ordered that the actions described above be made the subject of a **PUBLIC WARNING AND ORDER OF ADDITIONAL EDUCATION**.

The Commission has taken this action with the intent of assisting Judge Lee in his continued judicial service, as well as in a continuing effort to protect public confidence in the judicial system and to assist the state's judiciary in its efforts to embody the principles and values set forth in the Texas Constitution and the Texas Code of Judicial Conduct.

Issued this the 6th day of June, 2018.


Justice Douglas S. Lang, Chair
State Commission on Judicial Conduct